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May 17, 1976

HR - Brazil

MEMORANDUM

TO : ARA - Mr. William H. Luers
THRU : ARA - Mr. George Lister
FROM : L/HR - Charles Runyon
SUBJ : Case of alleged torture reported in Brazilian Press
REF : Brasilia 4270

This is to suggest consideration of some minimal low key legal responses:

1. Consult with Kennedy staff and review our own resources to assemble all the facts as best we can.
2. Unless total facts available to us answer questions satisfactorily, go to Brazilians with dead pan simple questions: Is story true? What has Court done about application? What has Executive (including military) done?
3. If answers leave outstanding questions, prepare to refer to these and any similar perplexing questions on human rights in Brazil in connection with consideration of IAHR Report at OAS GA.

cc: ✓ D/HA - Mr. Palmer
USOAS - Mr. White
L/ARA - Mr. Gantz

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ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 ATD-05 /064 W

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R 141825Z MAY 76
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC 5650
INFO AMCONSUL RECIFE

~~CONFIDENTIAL~~ BRASILIA 4270

F. O. 11652: GDS
TAGS: SHUM, BR
SUBJECT: REPORT OF TORTURE IN RECIFE

REF: STATE 113663

1. FOLLOWING IS REPORT RECEIVED FROM CONSULATE RECIFE:

QUOTE

A. FOUR POLITICAL PRISONERS HELD IN THE ITAMARACA ISLAND MAXIMUM SECURITY PRISON NEAR RECIFE CLAIMED THROUGH THEIR LAWYER ON 19 APRIL THAT THEY HAD BEEN TORTURED AT THE AIR FORCE POLICE SQUADRON HEADQUARTERS IN RECIFE ON APRIL 1 AND 2. THE PRISONERS INVOLVED WERE: JOSE CALIXTRATO CARDOSO FILHO, JOSE ADEILDO RAMO, JOSE EMILSON RIBEIRO DA SILVA, AND CLAUDIO DESSOUZA RIBEIRO.

B. THESE INMATES FOUND GUILTY SEVERAL YEARS AGO UNDER BRAZIL'S NATIONAL SECURITY LAW FOR ENGAGING IN SUBVERSIVE ACTIVITIES, ARE PART OF A GROUP OF APPROXIMATELY 25 POLITICAL PRISONERS HELD IN THE SAME PRISON. THIS GROUP HAS ENGAGED IN 2 PROLONGED HUNGER STRIKES DURING THE PAST SEVERAL MONTHS IN AN EFFORT TO FORCE THE AUTHORITIES TO IMPROVE SUCH THINGS AS THEIR FOOD, VISITING PRIVILEGES, DORMITORIES, ETC. (DETAILS OF THE STRIKES ARE GIVEN IN RECIFE WRAP-UPS 9, 12 AND 13.)

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C. DURING THE COURSE OF THE SECOND HUNGER STRIKE (OCTOBER-NOVEMBER 1975), SEVERAL OF THE PRISONERS WERE REMOVED TO VARIOUS MILITARY HOSPITALS IN THE RECIFE AREA TO SAFEGUARD THEIR HEALTH. THE 4 IN QUESTION WERE APPARENTLY ASSIGNED TO THE BRAZILIAN AIR FORCE HOSPITAL IN THE CITY AND WERE KEPT UNTIL THEY ENDED THE STRIKE AND WERE NURSED BACK TO STRENGTH. THEY WERE THEN RETURNED TO THE ITAMARACA PRISON SOMETIME IN DECEMBER OR JANUARY 1976.

D. FOR REASONS UNKNOWN TO POST THESE 4 PRISONERS WERE PICKED UP ON APRIL 1 AND TAKEN TO THE AIR FORCE POLICE SQUADRON WHERE THEY CLAIM TO HAVE BEEN BEATEN, GIVEN ELECTRIC SHOCK TREATMENT, AND HUNG UP ON THE PARROT'S PERCH (PAU DE ARARA). THEY WERE RELEASED THE NEXT DAY AND RETURNED TO PRISON, AND PLACED IN SOLITARY CONFINEMENT.

E. THEY APPARENTLY WERE ABLE TO DESCRIBE THEIR TREATMENT IN A DOCUMENT WHICH WAS PASSED TO THEIR LAWYER, WHO IN TURN PRESENTED IT TO THE SUPREME MILITARY TRIBUNAL (STM) IN BRASILIA ON APRIL 19. (THIS MAY BE THE DOCUMENT MENTIONED IN REFTEL.) THE LAWYER ASKED FOR AN INVESTIGATION OF THE ALLEGATIONS, THAT THE COURT'S PRESIDENT SAFEGUARD THE LIFE OF THE PRISONERS, AND PROVIDE THEM WITH MEDICAL TREATMENT. THE STM, WHICH SEEMS TO HAVE BEEN INFORMED OF THE CASE IN ADVANCE, RESPONDED THAT THE PRISONERS HAD BEEN INTERROGATED "WITHOUT PHYSICAL COERCION."

F. THOUGH THE LOCAL PRESS GAVE NO COVERAGE TO THE CASE, THE STORY (PARA 4 AND 5) WAS CARRIED IN THE NATIONAL CIRCULATION NEWSPAPER, ESTADO DE SAO PAULO, ON APRIL 24, #1976. UNQUOTE

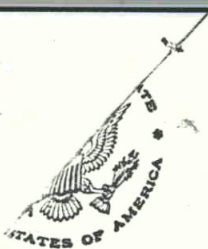
2. SENATOR KENNEDY WAS QUOTED IN JORNAL DO BRASIL MAY 12 REGARDING DOCUMENTS HE HAD RECEIVED WHICH INCLUDE DECLARATIONS OF THESE PRISONERS. JORNAL ACCOUNT BEGINS, "SENATOR EDWARD KENNEDY DECLARED YESTERDAY...THE EVENTS OBLIGE ME ONCE AGAIN TO APPEAR BEFORE THIS CHAMBER TO REVEAL THE SUFFERING OF POLITICAL PRISONERS IN BRAZIL. I HAVE JUST RECEIVED A SERIES OF DOCUMENTS TAKEN SURREPTITIOUSLY OUT OF BRAZIL BY PERSONS WHO RISKED THEIR LIVES TO DO SO AND WHO ARE WORTHY OF EVERY CREDIT, I CLARIFYING THAT FROM WHAT HE LEARNED THEY RELATE A NEW PHASE OF TERROR IN THAT COUNTRY."

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3. COMMENT: THRE CONTINUES TO BE A GENERAL PRECEPTION
HERE, WITH WHICH WE CONCUR, THAT THE LEVERAGE AFFORDED
GETSEL BY THE DEATHS OF POLITICAL PRISONERS IN ARMY CUSTODY
IN SAO PAULO HAS RESULTED IN A REAL AND SIGNIFICANT SHIFT
FOR THE BETTER IN THE HANDLIG OF POLITICAL-PRISONER
CASES. AS WE HAVE NOTED PREVIOUSLY, HOWEVER, (SEE, FOR
EXAMPLE, BRASILIA 631, BRASILIA 2212, AND BRASILIA A-11),
IT WAS NEVERTHELESS TO BE ANTICIPATED THAT INSTANCES OF
ABUSE WOULD PERSIST. THE CASE IN RECIFE, ABOUT WHICH WE
HAVE NO INFORMATION OTHER THAN THAT CARRIED IN THE PRESS, MAY
BE ONE OF THESE INSTANCES.
CRTMINS

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